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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined fourth and fifth periodic reports of Myanmar

Addendum

Replies of Myanmar*

[Date received: 3 May 2016]

Note: The present document is being circulated in English, French and Spanish only.
* The present document is being issued without formal editing.

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Question 1
Constitutional, legislative and institutional framework

1. The State Constitution guarantees non-discrimination based on race, birth, religion, official position, status, culture, sex and wealth. Myanmar is at the stage of reviewing its domestic laws comprehensively. Accordingly, the Hluttaw has been repealing, amending and enacting new laws to meet present needs and Myanmar's obligations under the international human rights laws. The laws contained in paragraphs 9 to 16 are part of this comprehensive exercise.

2. With regard to the Social Security Law, legal rights for women are contained in Section 23, 25 (b)(c)(d)(f), 27(b)(c), 28(a)(b)(c), 29, 30, 31(a)(b), 55, 58 and 62. Similarly, Section 21(b), 29 and 36(1) of the Factory Act 1951, Section 36(3)(4) and 51 of the Law amending to the Factory Act and Section 7(a) of the law amending to the Leave and Holiday Act assure legal protection for women.

3. The Ministry of Labour, Employment and Social Security has been strengthening capacity and resources of all of its departments in fulfilling the labour rights of women in accordance with the laws enacted or amended and necessary budget is allocated for that purpose.

4. In response to the question raised in the list of issues in connection with the four laws, the laws neither prohibit religious conversion nor interfaith marriage.

(a) **The law related to religious conversion.** There is no restriction for those who wish to convert their religion from one to another, and registration of such conversion is voluntary. There is no penalty for those who do not wish to register. The purpose of the bill is only to prevent forced conversion and it penalizes those who force someone to convert his/her belief against the will. Article 18 of the International Covenant on Civil and Political Rights-ICCPR said no one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. There is no provision in the law which impairs one's choice of belief or religion.

(b) **Myanmar Buddhist Women Special Marriage Law.** In Myanmar, different religious followers practice their respective customary marriage laws. The is also similar case for Buddhists. The purpose of the Buddhist women marriage law is again to prevent and penalize forced conversion for Myanmar Buddhist women. A Woman is given rights to marriage, family life and chooses a spouse without any discrimination as stated in CEDAW Article 16.1.

(c) **The law related to monogamy is self-explanatory.** The law encourages married couples to practice monogamy system. This practice is accepted culturally, morally and socially accepted in Myanmar society. It also intends to protect the rights of women.

(d) **The law related to population.** It will enforce only when an area is identified as special area requiring to apply the law. Again, application of the law is voluntary. The purpose of this law is to provide necessary medical assistance and education in connection with reproductive health care in areas where attention is required.

Question 2
Awareness raising on the Convention

5. Awareness raisings on the Convention and dissemination of information in the regard are being conducted as follows:

(a) The law related to population, it will enforce only when an area is identified as special area requiring to apply the law. Again, application of the law is voluntary. The purpose of this law is to provide necessary medical assistance and education in connection with reproductive health care in areas where attention is required;

(b) Related laws in line with the provisions of the Convention are printed in daily, weekly and monthly newspapers as well as in journals. Awareness raising on the laws are broadcasting in TV programmes and radios. Moreover, debates in Hluttaw are broadcasted live.

6. In educating members of judiciary and raising their awareness on provisions of the Convention, the followings activities are being conducted:

(a) members of the Supreme Court are participating in workshops and seminars organized by the international organizations and they share they acquired knowledge with other colleagues in the Supreme Court, and

(b) lectures relating to the provisions of the Convention are taking place at the Judicial Training School.

7. In courts, there are 2,018 rape cases from 2014 to 2015. Among them, decisions for 16,10 cases have been taken and the remaining cases are hearing.

Question 3
Access to justice

8. The Myanmar National Committee for Women's Affairs-MNCWA is a governmental body formed in July 1996 to systematically implement the Beijing Platform for Action for the advancement of women. From 1996 to 2003, the working committees of the MNCWA in the areas of education, health, culture, economy, violence against of women, environment, and media, international relations, legal aspects, the girl child and trafficking in persons. But, over the period of seven years, the coverage was not satisfactory since implementation activities of the National Committee are limited only to members. Therefore, to have a broad effective coverage span and to enhance coordination and linkages with the national and international NGOs, the Myanmar Women's Affairs Federation-MWAF was established in December 2003 as a NGO.

9. The MNCWA serves as a national mechanism which mainstreams women's rights in government policy making and coordinates with relevant line ministries in implementing the National Strategic Plan for the Advancement of Women (2013-2022). The MWAF reaches to grass-roots and community level for the advancement of women. The two mechanisms coordinate each other to ensure state national plans, policies and programmes are effectively implemented at local level. The Myanmar National Human Rights Commission is an independent body operates on a statutory basis in compliance with the Paris Principles to promote and protect the rights of the citizens of Myanmar including women.

10. With regard to complaints, the Myanmar National Committee for Women's Affairs (MNCWA), the Myanmar Women's Affairs Federation (MWAF) and the Women and Child Sub-Committee receive complaints **Annex (A)** and following assistances are being provided:

(a) Referral to courts or police;

(b) Legal aids;

(c) Counselling services;

(d) Social psycho support.

11. The Myanmar National Human Rights Commission also receives complaints, in addition to the assistance provided by MNCWA and MWAF, the Commission has the mandate to inspect the scene of human rights violations and, after notification, prisons, jails, detention centres and public or private places of confinement.

Question 4
National machinery for the advancement of women

12. As Myanmar National Committee for Women's Affairs (MNCWA) is a National level mechanism for advancement of women. The Committee is led by the Minister for Social Welfare, Relief and resettlement and holds meetings 2 times a year. The meetings review monitoring measures, policies and guidelines to meet the needs of situation on the ground. Under the guidance of MNCWA, Prevention and Protection of Anti Violence against Women Law has been drafted and developed National Strategic Plan for Advancement of Women. As Regional cooperation, Myanmar actively took part in developing the ASEAN Plan of Action for Elimination of Violence against Women and Elimination of Violence against Children. The Committee established Deposit Account of MNCWA separate capital funding to run women development programmes.

13. MNCWA is responsible for development and protection of the whole women population in Myanmar. The Responsibilities of MNCWA are as follows:

(a) Setting policies and programmes for advancement of women;

(b) Coordination with local and international organizations;

(c) Representing in international meetings;

(d) Monitoring the programme's implementation;

(e) Reporting to United Nations CEDAW Committee;

(f) Enacting laws, legislation and conducting research and survey for women's enhancement;

(g) Aiding and abetting women organizations and women networks.

14. Gender Equality and Women's Empowerment Sector Working Group is jointly formed with line ministries, civil society organizations and donor agencies for gender equality and women's development. The responsibilities of Gender Equality and Women's Empowerment Sector Working Group are as follows:

(a) To promote DP harmonization and engagement in support of government-led promoting gender equality and advancement of women sectors planning, implementation, and review priorities;

(b) To review the drafting and finalization of a national strategy and work plan on gender equality and advancement of women (with budget included), and harmonize DP support for the establishment of a national-led capacity development and technical assistance plan and its implementation;

(c) To coordinate and ensure linkages among DPs and with the Government current and planned programmes/projects and associated progress of gender equality and advancement of women agenda for aid and development effectiveness;

(d) To assess progress and results of the sector strategies and plans of Government to monitor, review, and report progress in the gender equality and advancement of women sector against annual sector operational plans;

(e) To define priorities and policy gaps with the MNCWA and Myanmar Working Committee for Women's Affairs (MWCWA) for EWE Sector priorities and policy dialogue with relevant ministries, and NGO community and networks as necessary and support to establish and monitor a simple annual action plan;

(f) To maintain a list of analysis needs and review and coordinate studies proposed by DPs as well as ensuring adequate debriefing to the SWG and integration of lessons learned once studies have been completed.

Question 5
Implementation of National Strategic Plan for the Advancement of Women

15. National Strategic Plan for the Advancement of Women that has developed by the MNCWA with the objectives of (1) all women in Myanmar are empowered and able to fully enjoy their rights with the support of the Government of the Republic of the Union of Myanmar and (2) enabling systems, structures and practices are created for the advancement of women, gender equality, and the realization of women's rights.

16. For the implementation of this plan, line ministries use allocated budget for women related areas. For the implementation of the National Strategic Plan for Advancement of Women, focal persons from relevant agencies have identified as per annex (B). Moreover, for effective implementation of the Strategic Plan, the Department of Social Welfare will cooperate with the UNFPA in seeking expertise in relevant fields. Technical and financial support from donors and international organizations through Gender Equality and Women's Empowerment Sector Working Group are also utilized in implementation of the Strategic Plan.

Question 6
Non-governmental organizations

17. Non-governmental and civil society organizations focused on gender equality and women's empowerment can conduct their activities in accordance with the existing domestic laws.

18. In section 7 of the Law on the Registration of Organizations stated that if the local associations are desirous to register, on own volition, the chairman, secretary or responsible person of the association shall apply to the respective Registration Board by stating that the name of association, location and contact address, date of establishment, objective, work programme, number of executives, number of members, list of money and asset owned by the association, works performed, formation and article of association, separate submission (if any), and date of application.

19. In section 16 of the law stated that any international non-governmental associations shall, obtain the registration certificate, apply to the Union Registration Board by the responsible person of such association by stating name of association, name of the head, name of the responsible person, location and address, based country of the association, work to be operated in Myanmar, Ministries to be contacted, work plan, number of executive members, location of the branch office and contact address, name of the person-in-charge of branch office and date of application.

20. So, according to the Law and Rules relating to registration of associations, there is not restriction to form association and no discrimination based on gender. There is also no significant report of barriers in registration and the organizations only need to submit the necessary documents.

Question 7
Stereotypes and harmful practices

21. With the guidance of the Department of Social Welfare, the GEN conceptualized and conducted a qualitative research study on the drivers of gender inequality, termed: "Raising the Curtain: Cultural Norms, Social Practices and Gender Equality in Myanmar". The study was launched in December 2015 in Kachin, Kayah, Kayin, Chin, Mon, Rakhine and Shan State and in Ayeyarwaddy, Sagaing, Thanintharyi and Yangon Division. The qualitative study sought to further understand social and cultural norms and their impact on men and women in relation to various domains, including family, community life, work, health and education. The study seeks to inform programmes and policies at a time of rapid political and economic developments in Myanmar. The Department of Social Welfare in partnership with GEN will conduct multiple awareness raising and dialogue initiatives based on the findings emerging from the study and will work closely with other ministries, especially the Ministry of Information, in order to ensure that a wide audience is reached.

22. Myanmar included the project on Women and Media in ASEAN Committee on Women Work Plan (2016-2020) to eliminate cultural practices and stereotypes that discriminate against women and not to suspension of women's development using media as a tool.

23. Two workshops on awareness raising and knowledge sharing on gender mainstreaming and gender-based violence response for public media personnel are planned to organize in 2016. Public awareness activities are implemented by using media outlets in educating discrimination against women.

24. Ministry of Information broadcast ethnic radio programmes from 6 a.m. to 6 p.m. (twelve hours a day) by 14 languages. Special programmes for ethnic women are also broadcasted. The awareness raising programmes for women are being broadcasted from seven FM radio lines to cover nationwide.

25. According to the Television and Broadcasting Law which was enacted in 2015, public television and broadcasting services will be available for children, women, elderly and disabled persons in promotion and protection of their rights.

26. Myanmar is a diverse society with over 100 national races. Currently, the Historical Research Department, Ministry of Culture conducted research trips to Hakha and Mindut in Chin state in 2014 and to Hayaryama village Nyaungshwe township in Shan state record the present situation of customs and traditions and religion practiced by the national races there.

Question 8
Ending violence against women

27. The Prevention and Protection of Violence against Women Bill is being drafted and the Department of Social Welfare, Ministry of Social Welfare, Relief and Resettlement leads the process in cooperation with the United Nations Gender Theme Group and GEN. The Steering Committee, Advisory Committee and Working Committee were formed in drafting the Law.

28. The Working Committee organized 11 meetings with line ministries, United Nations Gender Theme Group and GEN. Awareness raising workshops on the law were organized 10 times in States and Regions. As Myanmar is the member state of Convention on the Elimination of all forms of Discrimination against Women-CEDAW, the Prevention and Protection of Violence against Women law is drafted to be in line with provisions contained in CEDAW and 1995 Beijing Platform for Action.

29. The definition of rape is already mentioned in the Penal Code of Myanmar. The offenses of all forms of violence against women and prohibition of marital rape are also described in this law. Legal remedies for victims are also included with a separate chapter in this law. In addressing underreporting and out-of-court settlements, other complaint mechanisms under Myanmar National Committee for Women's Affairs, Myanmar Women and Child sub-committee and Myanmar Women's Affairs Federation are made available. Sexual violence committed by military personnel are answered in next session.

30. Department of Social Welfare is providing shelters and necessary services for women and girl victims. The Prevention and Protection of Violence against Women Bill identifies persons and organizations responsible to protect victims. The Department of Social Welfare, UNGTG and INGOs are providing nationwide capacity building programmes annually for police officers, members of judiciary, social workers and medical officer who are taking care of prevention of violence against women.

31. In cases of sexual violence against women provisions of existing Evidence Act are applied. According to existing Criminal Procedure Code, trial of the sexual violence cases against women is being performed in camera for dignity of victims.

32. The provisions of the Convention are included in lectures at all trainings by the Supreme Court for the judicial personnel who are working on prevention of violence against women. The Government together with UNFPA and MANA conducted trainings on gender and gender based violence for 1,000 police in Zee Pin Gyee police training. Myanmar in cooperation with the UNFPA, Mettta development foundation and IRC conducted trainings for 15,000 women in Kachin and Rakhine States in preventing and responding gender based violence.

33. Capacity building trainings on violence against women for health workers from relevant departments and organizations are underway.

Question 9
Eliminate sexual and other forms of violence in armed conflict

34. When complaints are received, the Adjutant General Office and the military legal department form investigation tribunals with senior legal professionals, for alleged cases. Complaints are investigated in accordance with the 1959 Military Act, the 1959 Military by-laws and the 1972 Military Disciplines Manual. For crimes stipulated in Section 71 of the Military Act are sent to military courts. The Tatmadaw transfers the cases of crimes under Section 72 of the Military Act to police so that such cases can be at civilian courts. In accordance with Section 72 of the 1959 Military act, cases involving military personnel committing murder or manslaughter, or rape cases during non-active duty time shall not be tried at military courts.

35. From 2015 to January 2016, there were 6 cases of sexual violence committed by military personnel. These cases were transferred to civilian courts. Before perpetrators are transferred to civilian courts for sexual violence, they are sentenced for military offense. From 2011 to 2015, 31 sexual violence cases committed by the military personnel were transferred to civilian courts.

36. Sexual violence cases at the respective courts under the Supreme Court of the Union for the period of 1.1.2014 to 31.12.2014 are prescribed in Annex (C), and those for the period of 1.1.2015 to 31.12.2015 in Annex (C-1).

37. Human rights education including all forms of violence against women have provided by the Office of the Judge Advocate General in defence academies and trainings. From 2012 to 2015 a total of 997,999 military personnel members are benefitted from a total of 6,298 such trainings.

38. A citizen has right to apply for issuing writs if the person considers his/her rights are violated. Complaints for violation of human right including sexual violence can be filed at the Myanmar National Human Rights Commission, President Office and Committee of the Hluttaw and also brought to the media.

39. In implementing United Nations Security Council resolution 1325 on Women, Peace and Security and related resolutions, Myanmar conducted the first workshop in cooperation with the Myanmar National Human Rights Commission and the UN-Women in April 2015. There were 41 participants including senior government officials who are dealing with women, peace and security issues, parliamentarians,

Commissioners and staff of Myanmar National Human Rights Commission and academia. The second workshop of its kind was held in September 2015.

Question 10
Trafficking and sexual exploitation

40. In implementing the first phase and the second phase of 5-Year National Plan on anti-Trafficking in Persons, the challenges are as follows:

(a) Limited resources in providing trafficking victims assistance and their rehabilitation;

(b) Poverty and limited job opportunities makes trafficking victims to fall again into the hands of smugglers and human traffickers.

41. Achievements are as follows:

(a) Reform in Myanmar enables adopting new laws and policies which better protect forced labour and child labour while introducing safe labour migration channels. Improvements in these areas contribute greatly in preventing trafficking in persons;

(b) New Border Liaison Offices were opened which is significant in cooperating with neighbouring countries in tacking human trafficking;

(c) Creating job opportunities and safe labour migration channels deter illegal migration and its related risks;

(d) Shelters were established in Myawaddy, Muse and Kawthoung to accommodate trafficked victims;

(e) The Information Centre was established which serves as a bridge between trafficking victims and organizations supporting the victims;

(f) As a result of strengthening case management system with the support of the UNICEF, 175 trafficked children were reintegrated successfully to their communities.

42. The Anti-Trafficking in Persons Law promulgated in 2005 is under review to meet current circumstances and the Union Attorney General Office leads the process. It is under consideration whether to amend or redraft the new law. Technical inputs from the UNICEF are being sought in connection with child victims.

43. The functions of Fund-Finding and Supervisory Committee are as follows:

(a) Seeking fund from local and abroad;

(b) Registering cash and kind assistance;

(c) Monitoring management of fund for its effective use in prevention, repatriation and rehabilitation activities;

(d) Coordinating civil society organizations, United Nations agencies, and international organizations;

(e) Reporting management of fund to the Chairperson of CBTIP.

44. The functions of Treasury-Controlling Committee are as follows:

(a) Keeping cash received from donors by opening accounts at Myanmar Economic Bank and Myanmar Foreign Trade Bank;

(b) Monitoring expenditure to be in line with financial regulations by seeking technical advice from the Union Audit Office;

(c) Disbursing funds to relevant organizations with the permission of the Chairperson of CBTIP;

(d) Seeking decision from the Chairperson of the CBTIP in case of emergency funds is needed;

(e) Monthly reporting on receiving cash and kind assistance.

45. According to section 22 (a) of the Anti-trafficking in Persons Law, 383.681 million kyats were allocated in 2015-2016 fiscal year budget for prevention, repatriation and rehabilitation of the trafficking victims. The allocated budget is spent for the followings during the first three months of 2015-2016 fiscal year:

(a)	Transportation Fee	10,300,000 kyats
(b)	Ration and Food Fee	3,502,500 kyats
(c)	Medical Treatment Fee	4,102,000 kyats
(d)	Rescue, Protection and Rehabilitation	78,000,000 kyats
	Total	**95,904,500** kyats

46. As of December 2015, the fund provided 7,119,000 kyats for rehabilitation of ten trafficked women in 2015-2016 fiscal year. In 2015, there were 130 trafficking cases. Among them, 107 cases were committed against women. The cases include 73 forced marriage cases, three forced labour cases and two prostitution cases to China, four prostitution cases to Thailand, nine forced labour cases to Malaysia and one forced labour case and 15 prostitution cases in Myanmar.

47. The Working Group on the Repatriation, Reintegration and Rehabilitation of Trafficked Victims led by the Ministry of Social welfare, Relief and Resettlement in collaboration with United Nations agencies, International Non-Governmental Organizations, and Local Non-Governmental Organizations has being carried out follow-up programmes for the women victims who were reintegrated into their society. The following functions are being carried out for the rehabilitation of women trafficking victims:

(a) Visiting victims who were reintegrated to their community;

(b) Providing necessary assistance such as health care, education, vocational training, employment opportunities for victims in cooperation with the Myanmar Women's Affairs Federation, local authorities, community watch groups and parents and guardians of victims;

(c) Providing cash assistance to victims who wish to join vocational trainings;

(d) Developing the income generation programmes.

48. 145 women victims were benefited from the follow-up programme in 2015 including 55 women victims who could access vocational training, formal education and employment opportunities, based on their needs.

49. The Information Centre for trafficked victims has been established under the Ministry of Social Welfare, Relief and Resettlement on 27 May 2014 in order to provide information, psychosocial support, coordinate between victims and victims' support agencies and to seek job opportunities for victims.

50. During the recent floods, the Government in cooperation with the UNICEF provided psychosocial support to over 33,000 children. The Myanmar Police's Anti-Trafficking Unit disseminates information on trafficking risks and provides psychosocial support to 40,000 children.

51. The Anti-Trafficking in Persons Division partnered with the ILO conducted a survey of 7,295 internal labour migrants to identify patterns of internal labour migration, exploitative labour practices and human trafficking. Among the 7,295 labour migrants 2,515 women experienced labour exploitation and human trafficking. The report, "Internal labour migration in Myanmar, building an evidence-base on patterns in migration, human trafficking and forced labour" was published in December 2015.

52. The main reasons for women being trafficked are limited job opportunities, low wages, low family income, limited knowledge and vocational skills. Therefore, to ensure the early identification of trafficking in women and prostitution, the Government established 10 livelihood training schools. These schools provide the trainings on cooking, tailoring, knitting wool, handicraft making and decorating flower and fruit. From 2014 to 2015, there were 15,752 women benefited from such schools and 2,814 women benefitted from community based trainings.

Question 11
Situation of exploitation of prostitution

53. In connection with legal framework and on measures taken to prevent the exploitation of women and girls, "1949 Prostitution Act" is under review and being debated in Pyidaungsu Hluttaw. The debates include increasing penalty for under age rape crimes.

54. There are two centres of women care and vocational training for women prisoners with HIV/AIDS serving sentences under the Prostitution Act. Three centres for livelihoods activities are functioning for sex workers. These centres provide health-care services, physical rehabilitation, psychosocial support and vocational trainings such as tailoring, knitting, handicraft making, agricultural trainings. Products from the centres are sent to the market. Starting from fiscal year 2016-2017, home to home follow-up activities will introduce for reintegrated women.

Question 12
Participation in political and public life

55. Facts in connection with women participation in political and public life are as follows:

(a) In 2nd term of the Pyidaungsu Hluttaw and State/Regional Hluttaws, 151 women parliamentarians were elected;

(b) Discussion for appointing women as quarter and village track heads, was made during 1st term of Hluttaw;

(c) To increase participation of women representatives in 2nd term of Pyidaungsu Hluttaw and State/Regional Hluttaw, political parties issued instructions while INGOs, NGOs organized talks, trainings and awareness raisings respectively.

56. The declaration by the MNHRC to commemorate the 2015 International Human Rights Day, recommended the increased participation of women in leadership position in the political processes and governance.

57. The Chief Negotiator of the Government in the peace process and coordinating Minister for Political Reforms and Department of Social Welfare, Ministry of Social Welfare, Relief and Resettlement have worked closely with the MNHRC and UN-Women in co-organizing a series of workshops for senior government officials and technical experts to raise awareness and build capacity on Women, Peace and Security subjects.

58. From a baseline of 0 in the pre-2011 peace negotiations between the military and ethnic armed organizations (EAOs), participation of women in the negotiations between Government and the EAOs for a nationwide ceasefire agreement and other peace related institutions and processes increased from the pre-reform phase. This included 2 women negotiators — 1 from Government and 1 from EAOs); 1 woman co-facilitator and technical advisor (EAO side); 2 women out of 15 members of the senior delegation that took on negotiations; women in the Union Peace Making Central Committee — the key decision-making body in the peace structure; 3 women out of 48 representatives in the Union Peace dialogue joint Committee (to plan and co-ordinate the union peace dialogue); 1 woman in the drafting committee for the framework for political dialogue; 0 women in the joint ceasefire monitoring committee.

59. The nationwide ceasefire agreement signed by the Government and ethnic armed organizations has 3 gender provisions: principles guaranteeing non-discrimination against all citizens on the basis of ethnicity, religion, culture or gender; avoiding "any form of sexual attack on women, including sexual molestation, sexual assault or violence, rape and sexual slavery"; and including "a reasonable number/ratio of women representatives in the political dialogue process". The Framework for Political Dialogue has the following provisions on women: equal rights and opportunity to all nationalities regardless of race, religion, culture and sex; "try for the inclusion of 30 per cent of women in the political dialogue; inclusion of gender equality under social education in issues to be discussed in the political dialogue. Though there is scope for improvement, women's participation in peace is in progress.

60. For development and access to education, health and job opportunities in those areas where peace building and rehabilitation programmes are running, Myanmar

Women and Children Development Foundation is providing cash to accelerate income.

Question 13
Citizenship Law

61. It has already mentioned in article 87 of the fourth and fifth Myanmar Report that Myanmar Citizenship Law, 1982 has been continued to use without being amendment. Myanmar women follow the Myanmar Customary Law. Myanmar women do not need to change their citizenship status for marriage situation according to Session 15 of the 1982 Myanmar Citizenship Law as it prescribed: "A citizen shall not lose his citizenship merely by marriage to a foreigner and a foreigner shall not acquire citizenship merely by marriage to a citizen". Similarly, being national of children, born in or outside the state is depend on the parents' Citizenship Status, they can apply for citizen, associate citizen and naturalized citizen in accordance with article 7 and 43. Therefore, children born outside the country by a Myanmar woman can get citizen, associate citizen and naturalized citizen. Child who cannot say father's name and nationality can apply for citizenship in accordance with article 65.

62. Irrespective of race, religion or place of birth, every child born inside the country has the right for registration and birth certificates are being issued. Coordinated teams with the Administration Department, the Immigration Department and the Health Department reach to the grass root level to ensure registration of all births and deaths across the country.

63. Myanmar has played an active role at the adoption of the 2030 Agenda for Sustainable Development on 25 September 2015 and has been making regular reference to the different Sustainable Development Goals. One of the Goals, 16.9, is to provide legal identity for all, including birth registration by 2030.

64. The Myanmar Child law, in section 9, obliges the parents to register the birth of their child. Myanmar aims to register 1 million more children in the 7 remaining states and territories, including Rakhine State in next year.

65. To verify the status of Bengalis in Rakhine State, national verification process has commenced on 1 January 2015 in accordance with the 1982 Myanmar Citizenship Law. There are 972 applicants in 2015. The application forms are accepted to verify by township and State/Region citizenship verification board and the central board. 59 persons have been verified as citizens and citizenship scrutiny cards were issued to them. The central board is reviewing 109 persons. Verification process is going for the remaining persons. Everyone who wishes to become Myanmar citizen, he or she can apply for it and citizenship is granted to who meet the criteria set out in the law. Nonetheless, the people of Myanmar do not recognize the term "Rohingya" which has never existed in Myanmar ethnic history.

66. Temporary Identity Certificate have been issued since 1995, with the aim of knowing the exact number of card holders and getting citizen right for those who are eligible and are made national verification process according to Myanmar Citizenship Law and specified the expiry date and surrendered. All person who had already surrendered received proper documents.

Question 14
Education

67. The National Education Law (NEL) 2014 and NEL Amendment (2015) provides a thorough legislative framework for the entire education sector. It recognizes the right of all citizens to free and compulsory education at primary level; mandates the establishment of an education quality assurance system; extends the length of basic education schooling to 13 years including KG; changes performance based assessment system, facilitates for learning ethnic languages and culture, together with Myanmar language; commits to some aspects of decentralization within the education system; and recognizes the right of parents and community members in school management. The expenditure of the education sector was (310,020.138) million kyats in 2011 and it increased up to (1,459,969.31) million kyats in 2015.

68. As a result of special programme of free and compulsory primary education starting from the academic year 2011-2012, number of primary girl students in 2011-2012 academic year was (1,216,236) and it became (2,500,928) in 2015-2016 academic year. Moreover, from the academic year 2014-2015 and 2015-2016, all middle and high school students are provided with a complete set of text-books free of charge and abolished all school fees respectively by the implementation of free secondary education programme.

69. The Government has developed and launched the Myanmar Early Childhood Care and Development Policy and now the strategic plan formulated in accordance with the policy is now implementing.

70. The Ministry of Social Welfare, Relief and Resettlement is leading the implementation of the National ECCD Policy through establishment of a system of Early Childhood Intervention (ECI) services, in collaboration with the Ministry of Education, other relevant ministries. The UNICEF provides technical support to identify disabilities in young children and to assist the disabled children and their families.

71. With UNICEF support, the Ministry of Education develops new curriculum for kindergarten in every primary school across the country with 45,000 students in 2016. In partnership with UNICEF and cultural committee, the Ministry of Education is developing curriculum for nursery and kindergarten guide for teachers in 65 ethnic languages to make available in 2016.

72. Pre-school teachers in Rakhine State have been equipped with knowledge and skills to deliver quality ECD services, benefiting 3,520 children (1,603 boys; 1,917 girls), with UNICEF/ Quality Basic Education Programme (QBEP) support.

73. In addition, adolescents in schools are being educated for reproductive health information and knowledge in Life Skill Education curriculum implementation. Gender concept is mainstreamed in secondary level of life skill Education curriculum.

74. In order that every citizen has access to completion of basic education, in line with Education for All Programmes and Myanmar Policy for Early Childhood Care and Development, Inclusive Education Programme has been formulated and implemented. The comprehensive programme includes an education programme for

children with physical and mental disabilities, children with visual impairments, children with hearing impairments and children with intellectual disabilities.

75. Learning opportunity of girls and boys in urban and rural areas is not significantly different. For the progress of border areas and national races, the number of basic education schools has been increased annually and the number of schools in border area in 2015-2016 academic year has increased by (1.59 per cent) in comparison with the year 2011-2012. The number of women teachers in border area has also increased by (53.03 per cent) in 2015-2016 academic year.

76. Total number of schools in the academic year 2015-2016 is increased to 10.70 per cent in comparison with the year 2011 that provides better access to schools. In the academic year 2011-2012, the total number of teachers was 274,039 and it becomes 362,273 in 2015-2016 academic year. The total adult women literacy rate is increased 0.44 per cent in 2015-2016 academic year comparison with the academic year 2011-2012.

77. The number of women attending the Post Graduate programme and doctorate programme has increased 12.30 per cent and 25.58 per cent in 2015-2016 respectively in comparison with the year 2011-2012. In basic education sector, out of the total teaching staff, (83.54 per cent) were women teachers in the year (2015-2016).

78. Moreover, UNICEF assisted education project; "Basic Education and Gender Equality Programme-BEGE" has been implemented for providing all children to have access to quality basic education without gender discrimination. Likewise, women have an equal chance to participate in other education activities such as lifelong education, in-service adult literacy programme, sports and health education.

79. National Education Strategic Plan 2016-2021 is being finalized; the programme to strengthen the system, structure, assessment, curriculum and practices for ensuring access to formal and non-formal quality education for women and girls will be implemented in collaboration with the concerned ministries, local and international organizations, civil society organizations and women organizations as a network.

80. In Five Year Strategic Plan for Reproductive Health 2014-2018 and National Strategic Plan for Adolescent and Development 2009-2013, promoting sexual health including adolescent reproductive health and male involvement is an important component. National Standard Guideline for Adolescent Health is being drawn up with the involvement of all related sectors and next plan is to develop the manual of adolescent job aids. The trainings of basic health staff for adolescent-friendly health services, including reproductive health, are going to be conducted after the development of standard guidelines. United Nations Population Funds (UNFPA) and World Health Organization (WHO) also provided US$ 4,475,911 for reproductive health-care services in the year 2010-2011. To provide reproductive health education among peer groups of youth, youth community members are being nurtured, and up to 2013, over 3,600 youths have been trained in 72 townships respectively.

81. Moreover, the Department of Social Welfare also assisting the rural girls who have difficulties to access education and providing formal education in Vocational Training Centre for Women.

82. The Ministry of Education and the Ministry of Social Welfare, Relief and Resettlement jointly organized a Gender and Education Workshop in December 2016 under the Education Thematic Working Group, co-chaired by the UNICEF, to raise awareness on gender in the education system. The Workshop brought together United Nations agencies, Development Partners, INGOs, and civil society organizations.

83. The Ministry of Education is strengthening regular collection of sex-disaggregated data and strengthening through its EMIS system. With QBEP support, standardized forms for EMIS data collection, disaggregated by sex, have been developed and piloted, and are now approved for nationwide roll-out in 2016, with a web-based version under development.

84. The Ministry of Education is developing a web-based Human Resource Information Management System, which will facilitate tracking of all trainings undertaken by women and men employed in the Ministry, with technical support by the UNICEF.

85. The Ministry of Education has approved a new curriculum framework for basic education which focuses on achievement of 21st century skills such as critical thinking. With collaborative support of the UNICEF and JICA, Curriculum Development Team of the Ministry has been strengthening their knowledge and skills on gender analysis and gender stereotyping issues in curriculum reform.

86. The Ministry of Education with support from UNICEF, Australia, EU, DFID, Denmark and Norway, through the (QBEP), has improved equitable access to and quality of education in 34 disadvantaged townships across the country, focusing on school readiness, stronger school management, better quality teaching, and improved school environment,

87. With UNICEF support, Secondary school teachers (74 per cent women) of Grades 9-11 have been trained to teach life skills programmes, and teachers of the Extended and Continuous Education and Learning (EXCEL) non-formal courses for out-of-school children (10-17 yrs.) have been trained on life skills, health education, social skills and how to encourage reading. Over half the participants in the EXCEL courses are women.

88. The Ministry of Education is also working with UNICEF and partners to support education service provision at basic education level for children affected by emergencies, such as armed conflicts and natural disaster. This includes establishment of temporary learning spaces, school rehabilitation, volunteer teacher training and incentives, and supplies of school materials.

89. Although there was a history of higher scores for female students in the enrolment of University of Medicines under the Department of Health Professional Resource Development and Management, it is now equal chance for everyone since 2013.

90. The students attending in 39 training schools for development of youth national races from border areas. A total of 5,152 students are in basic education schools in 2015-2016. The number of students in the training schools from 1998-1999 to 2014-2015 academic year is as per Annex (D).

Question 15
Employment

91. There are 17 Labour Laws enforced by the Ministry of Labour, Employment and Social Security and 5 out of them were renewed, 2 were amended, 5 Laws are being redrafted, 4 laws are being amended and one law is under the process to be repealed. Moreover, Foreign Workers Bill and Occupational Safety and Health Bill are now drafting to be enacted as new one.

92. The Ministry of Employment, Labour and Social Security is amending the Overseas Employment Act 1999. With technical support from UN-Women it reviewed the Act from gender perspective. Gender sensitive recommendations to the Act were discussed at a High level Roundtable jointly organized by the Ministry of Labour and UN-Women in 2015. Recommendations included: woman-friendly information dissemination to women migrant workers and pre departure programmes on safe migration; simplification of migration procedures and lowered costs; clearly defined and reviewed contracts stipulating conditions of work and protections, understood and signed by worker prior to departure; regulations, including gender sensitive regulations for recruiting agencies governed by incentives and sanctions; upgrading skills and skills certification for women in areas of labour demand; migrant workers welfare fund with earmarking for women's welfare needs; bilateral and multilateral MOUs and negotiations with destination countries on protection of workers', including women worker's rights; comprehensive gender sensitive socio-economic reintegration programmes for women migrant workers; sustained participation of women migrant workers in policy development and implementation with Government.

93. The Ministry of Employment, Labour and Social Security and the Association for Recruiting Agencies with technical support from UN-Women developed gender sensitive provisions to the overall regulations crafted for recruiting agencies with ILO's support. Ensuring the protection of women migration workers and accountability is included in the regulations among others. Recommendations suggested that key punishable acts should include among others: deception, fraud, facilitating irregular migration, force, coercion and threats of the same to the migrant workers and his or her family/friends; overcharging beyond government stipulation; appropriation of travel documents; contract substitution; falsification of documents; withholding information or not providing correct information on migration procedures, conditions of work, employer and agency name and contact details; sexual and gender based violence against women migrant workers or aiding and abetting the same; not responding to complaints made to them by migrant women workers. The regulations have not yet been adopted as debates continue over the desire for peer regulation vs. Government regulation.

94. Moreover, under the section 10 (d) of Minimum Wage Law 2013, the minimum wage was announced on 28 August 2015 that Kyat 3,600 for a standard eight-hour work day (Kyat 450 per hour) across all sectors and industries around the country regardless of gender, which is applied to all workers other than those working at small and family- run business with a workforce comprising less than 15 people on the date of 1 September 2015.

95. To ensure a working environment free from sexual harassment, the employers' duties and responsibilities are included in prevention and protection of violence against women bill.

96. The Complaint Mechanism Centres were established in 2013 and they received total of 954 cases including 276 cases complained or communicated by women. Those cases are resolved by coordinating and cooperating with concerned departments and ministries.

Question 16
Health

97. The Ministry of Health and the Attorney General's Office drafted the law related to population. In terms of the support from Ministry of Health, there have been implementing to increase the health service coverage and access quality comprehensive reproductive and maternal health-services up to grass root rural areas through the extension of new Station Hospital, Rural Health Centres (RHCs)and Sub-Rural Health Centres (Sub-RHCs) year by year. As of 2014, about (1,684) RHCs and (8,971) Sub-RHCs were providing the RMNCH services.

98. Regarding to increase the inputs for (Reproductive, Maternal, Newborn and Child Health) RMNCH services, increasing deployment of the human resources and capacity building have been conducted. More than (2,000) Midwives have been deployed in 2015 and extension the sanction and filling of (3,000) vacant posts for Public Health Supervisor 2 could be done.

99. Concerning the financial investment to increase accessibility to Birth Spacing, it has been used about US$ 5 million from government budget from 2012 to 2015. Moreover, it has been allocating resources for construction of health facilities with delivery rooms and its equipment according to the needs of the regions. It is to reduce the home deliveries and to encourage safe delivery in hospitals and clinics. As of 2014, 1,495 labour rooms attached to RHCs have been functioning across the country.

100. In terms of technical areas, the new innovative way of the RMNCAH++ strategic approach has been drafted to manage the international aids effectively and efficiently. It is aimed to achieve shared vision, responsibilities and credit and pooling the resources among stakeholders to be visible, transparent and effective use of resources and hence to avoid overlaps and narrow the gaps. To ensure competency of Midwives, since 2015, the Nationwide Basic Emergency Obstetric and Newborn Care trainings have been conducting in nationwide manner, more than 10,000 MWs; to manage effective during obstetric emergencies aiming to reduce maternal and neonatal mortality.

101. In 2015, about 6,711 new auxiliary midwives were trained to provide the MNCH services in the areas where midwives are not available. There were more than 29,000 AMWs are functioning up to 2015.

Performance and impact indicators

Items	*2012*	*2013*	*2014*
Antenatal care coverage	74.8%	82%	84%
Skilled birth attendance rate	67.9%	72.3%	74.8%
Maternal mortality ratio	200	200	178

102. In order to identify strength and weakness and set the action plan, evaluation workshops has been organizing at township, district and State/Regional levels in every year. It has been established a Universal Health Coverage Programme with the support of World Bank since 2015. By providing budget up to RHC and SC level, community activities of basic health staffs will be promoted.

103. In Myanmar, abortion is not legal. In the case of rape, providing post rape counselling services and preventing the unwanted pregnancies by using emergency contraceptive pills are under consideration.

104. Through technical support from UNICEF and WHO, the Ministry of Health has developed the National Strategic Plan 2015-2018 for newborn and child health, incorporating elements from the Global Strategy for Women's and Children's Health and Every Woman Every Child movement, and building on 'Every Newborn Action Plan' and 'A Promise Renewed' global partnerships. The Plan is based on Census data and research findings conducted by the Ministry of Health with the support of the UNICEF. The findings showed that the largest number of under-5 deaths is newborn, with maternal nutrition deficiency and home delivery which are key contributing factors.

105. To combat HIV/AIDS, the five years National Strategic Plan for HIV/AIDS provides strategies and guiding principles. In National RH Strategic Plan (2011-2015), Gender equality and equity is included as a principle. Gender perspective is included in providing health-care services including disease control and campaign activities.

106. The Ministry of Health with the technical support from UNICEF, has been educating men in prevention of mother-to-child transmission of HIV. It leads more participation and cooperation of men and pregnant women in prevention.

107. With rapid ART scale up through decentralization of ART, increasing accessibility and availability of ART resulted in increased number of people enrolled in ART programme, and in 2015, 100,075 PLHIV were receiving ART. There was significant shift of ART service delivery towards the public sector since 2014; public sector providing ART to over 45 per cent of all ART patients in 2014.

108. For PMTCT programme, number of pregnant women received pre-test, testing and post-test counselling also increased with testing figures exceeded the NSP II targets.

109. Prevention reach of FSW, MSM and PWID increases along with programme expansion to more townships and significant increase was seen in harm reduction interventions. Needle and syringe exchange programme (NSEP) and Methadone maintenance therapy (MMT) had grown significantly, with an increase more than a quarter for NSEP and in 2014, almost 80 per cent increase for MMT compared to 2013.

110. To reduce stigma and discrimination, a comprehensive approach was carried including strengthening of multi- sectoral coordination with different ministries and capacity building programme on rights based approaches to HIV programme. National legal review and Gender assessment of the national HIV response in Myanmar were conducted and disseminated for evidence informed decision.

111. Key milestones in the area of strategic information include integrated Bio-behavioural Survey (IBBS) with Population size estimation (PSE) for PWID and National AIDS Spending Assessment (NASA) for tracking HIV expenditure.

112. In addition to increasing funding, by 10 per cent Ministry of Health provided 5 million dollars for HIV medicine and 1 million dollars for methadone maintenance therapy (MMT) in order to start moving o sustainable funding base for HIV.

113. Options in cases of threats to the health of the pregnant woman, rape, incest and serious impairment of the fetus are included in the draft Prevention and Protection of Violence against Women Law.

Question 17
Women in Rakhine State

114. There is no gender discrimination in the implementation of Peace and Development Plan of Rakhine State. Women are working equally to men not only as civil servants in the government departments and the military but they also participate in the activities of political parties and other civil society organizations.

115. According to religious practices, the Muslim women are considered as adults when they are 15 years old. The State laws stipulate the age of an adult at 18 but Muslim men and women get marry according to their religious practices and tradition. Local authorities do not have any restrictions on pregnancy, birth and marriage of the Muslim women by local authorities.

116. The Government is striving to achieve quality RMNCH services for all women and girls living in each township of Rakhine State. As of 2015 data, the AN coverage was 73.5 per cent, Skilled Birth Attendance rate was 54 per cent and MMR was 1.3/1000 Live Births and NMR was 8/ live births in Rakhine State.

For Buthidaung and Maungdaw townships

Townships	*ANC coverage*	*SBA*	*MMR (per 1000 Live Births)*
Buthidaung	73.1%	43.7%	1.6
Maungdaw	66.3%	33.9%	0.4

117. In addition, the AN care and immunization services are providing to women in relief camps by opening community mobile clinics. In 2015, total 13,434 pregnant women were provided the AN care services.

118. In Rakhine State, citizens regardless of their ethnicity or religion have freedom of movement and there is no restriction imposed on them. Nonetheless, for those whose citizenship status is not clear, they need to apply travel authorization if they wish to travel outside the State and the Immigration Department issues permits in accordance with the existing rules and regulations.

119. Inter-communal violence was broke out in 2012 and there is no recurrence since then. It was an unfortunate violence broke out between the two communities based on brutal crimes, nonetheless, there was no acts of violence committed by security forces against women. Perpetrators who committed crimes during the 2012 violence were brought to justice.

Question 18
Rural women

120. For rural development and poverty alleviation in Myanmar, SMU project is currently running under the joint supervision of Department of Agriculture and the Korea International Cooperative Agency (KOICA). For implementation of SMU project in selected pilot villages, village development committee was formed in respective village comprising 30 per cent of women. In addition, four people (two men and two women) are selected from each pilot village to attend SMU new village movement training in order to improve their leadership skill and for capacity building.

121. To improve access to electricity in rural areas by using solar system, Myanmar Women and Children Development Foundation is cooperating with the Barefoot Collage (India). Accordingly, the programme sends rural women for trainings and each time, 6 rural women are sent for 6 months training by prioritizing women from remote areas with difficult transportation and less developed villages. After 6 months training, they become able to install solar plats for their own villages.

122. Micro-financing and establishing of rice bank and oil bank have been performing successfully in villages of Naungshwe Township under the joint supervision of Shwe Inn Thu (Self-Help Group).

123. In the Farmland Law 2012, Farmland Use Certificates are being issued to female who leads the agriculture turnaround process by using farmland. Among the 25,720,907 agricultural household heads, 3,390,745 are female according to the Report on Myanmar Census of Agriculture 2010.

124. Women are participating in establishing Community Forestry (CF) in rural areas. The programme is led by the Forest Department to enhance access to facilities, land and cultivation. Both men and women have equal opportunity in collecting fuel-wood and non-timber forest products (Trees, shrubs, Lac, Resin, Fruit, Nuts, Medicinal Plant, Orchid, Thatch, etc.). Trainings for effective use of bamboo and rattan, e.g. mats, basket; orchid cultivation, home garden, Agro-Forestry, and forest conservation are also provided. It is significant to local economies as well as for rural employment and income generation for both men and women.

125. During the period 2014-2015, the General Administration Department has been working in collaboration with the United Nations Development Programme to support the formation of the first of its kind National Network of Rural Women "May Doe Kabar". May Doe Kabar Network currently spans across 8 States and Regions with a Membership of 22,000 rural women in 31 Townships. May Doe Kabar was launched on 15 October 2015 and is being officially registered under the new 2014 Association Registration Law that enables the registration of NGOs and Civil Society Networks. May Doe Kabar Network is first and foremost a Network which enhances the economic empowerment of rural Myanmar women through a three tired system centred on women self-reliant groups (SRGs). SRGs typically comprise 10-15 women members living in the same village and having a close affinity. They meet weekly, get support to build up their organizational skills and knowledge, contribute individually through small savings to build a "common fund", and once the common fund reaches sustainable level, decide jointly on lending to members. The common fund is initially used for: consumption needs (e.g., schooling, medications), livelihood activities (e.g., livestock), and small

business start-up. Over time, groups contribute to community development with small infrastructure and community teachers.

126. The Ministry of Home Affairs conducted the Local Governance Mapping (LGM) in 2013and the additional research on female village tract/ward administrators was conducted in 2015. There are 42 female village tract/ward administrators (VT/Was) elected among a total of 16,918 VT/WAs, heading village tracts/wards spread over 11 States and Regions. A short film documenting some of the existing female VT/WAs was produced to raise awareness of women participation in local governance, show how female VT/WAs cope with their job, and to inspire other women to participate more in local development and local decision-making. National Training Workshop for female VT/WAs was organized to provide a networking opportunity for the female VT/WAs, so they can learn from and be encouraged by each other's experiences as well as those of other female leaders.

127. The Government of Myanmar conducted nationwide wide consultations on the reform of its Land Use Policy. Several gender recommendations provided by the civil society organizations and the UN-Women among others have been incorporated in the sixth draft of the policy. These include among others equal rights to women in relation to land tenure, use and management in relation; the right to participate and represent the community in deciding disputes related to land tenure, transfer and succession rights; the right to participate and represent the community in relation to land acquisition in case of necessity, land compensation, resettlement and rehabilitation.

128. There are five mandatory points concerning Gender Equality in accordance with the project of Community Driven Development. It encourages women's active involvement and participation in decision-making. Moreover, it motivates to listen to diverse voices of women including marginalized ones in project committee and at project planning.

129. Although there are involvement of (50-50) both Gender in Microfinance project (MyaSeinYaung), there is no record collected on rate of women being benefited. Under the First Project Cycle of Community Driven Development, out of 51 per cent from 225,941 beneficiaries are women. 41,57 job opportunities were created in the First Project Cycle and women beneficiaries account for 37 per cent. In the Second Project Cycle 57 per cent of the beneficiaries are women. When trainings were held for all the committee members and 44 per cent among the leaders in project are women.

130. Rural infrastructure development such as roads and bridges construction, water supply, electricity and rural housing is considered as a priority to improve living standard of rural women and better access to health, education and job opportunities. The accomplishments of these rural development efforts are as per Annex (F).

Question 19
Marriage and family relations

131. The Ministry of Social Welfare Relief and Resettlement is leading in drafting the Prevention and Protection of Violence against Women Law which includes one chapter on the marriage and family relations.

132. The Law related to religious conversion stated that "every citizen is equally entitled to freedom of conscience and the right to freely profess and practise religion

subject to public order, morality or health and to the other provisions of this Constitution". Therefore, everyone can convert religion according to his/her own wish. It, however, prohibits forced conversion and no discriminatory provisions are included in the law.

Question 20

133. Myanmar is reviewing its status in all international core human rights treaties and their optional protocols.